

Ex. No. 30

Draft of Treaty proposed by the Japanese Delegation to the
Delegation of the Far Eastern Republic at the Dayren
Conference.

April, 1922

- Art. 1. The government of the Far Eastern Republic should make Vladivostok a commercial port only, putting it under foreign control; neither should it take any measures hindering trade.
- Art. 2. The governments of both contracting parties take upon themselves to revise the Japanese-Russian Fishing Convention after the signing of this treaty extending the rights of the Japanese fishing companies and giving the Japanese more extensive rights of cabotage along the Russian coast.
- Art. 3. The governments of the contracting parties take upon themselves to arrive at an agreement on post and telegraph communication immediately after the signing of the present treaty.
- Art. 4. The governments of the contracting parties recognize freedom of commerce, communication and navigation, and do not put citizens and ships of respective states in less favourable position in comparison with those of a third state. Details concerning the said question will be provided for later in a special treaty on commerce and sea navigation.
- Art. 5. The governments of the contracting parties take upon themselves to conclude, after the signing of this treaty, an agreement on customs' regulations and customs duties, based on the principle set forth in Article 4.
- Art. 6. Citizens of each of the contracting parties living on the territory of the other party enjoy the right of protection of personal security and of inviolability of property, and are not put in a less favourable position than citizens of their own or of a third state.
- Art. 7. Citizens of each of the contracting parties are allowed to undertake on the territory of the other party commerce, industry, manufacturing, trades, and to be engaged in other professions, and are not put in a less favourable position in commerce and industry than the citizens of their own country or of a third state. As to trades and professions, the citizens of both parties are equal to those of a third state.

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Art. 8. Citizens of each of the contracting parties enjoy the right of entering the territory of the other party and of free travel and living there in accordance with the laws of each country; on entering they produce their national passports.

Art. 9. Each of the contracting parties take upon themselves not to carry on hostilities against the other party, and equally to abstain from any propaganda which might be dangerous for the other party, and to take measures for forbidding entrance existing and activities on its territory of any organizations striving to carry on hostilities against the other party. The regulations of extradition of the above mentioned persons to the other party are provided for in a special agreement.

Art. 10. The government of the Far Eastern Republic promises the Japanese government never to introduce on its territory communist regime and to preserve the principles of private property not only regarding the Japanese subjects, but its own citizens as well.

Art. 11. Recognizing the open door principle, the government of the Far Eastern Republic should abrogate all restrictions existing on its territory for the Japanese subjects in mining industry, agriculture, forestry and in all extractive industries in general, and never establish them again in future; it should also give the Japanese subjects full freedom of commerce and trades, making their status equal to that of the subjects of their own state. The government of the Far Eastern Republic takes upon itself to give the Japanese subject the right to land property and to full freedom of cabotage under the Japanese flag.

The government of the Far Eastern Republic takes upon itself to give the Japanese subjects the right to free navigation on the Amur River under Japanese flag and consents to bring before the Chinese government its wish to give the Japanese subjects the right to navigation on the Sungari River under the Japanese flag. The present article extends only to Japanese subjects, and the rights given by it cannot be extended to other foreigners.

Art. 12. The contracting parties mutually send onto the territory of each of them their representatives with rights of minister, and establish the place of residence of commercial consuls.

Art. 13. The governments of the contracting parties recognize all treaties and conventions concluded between the Japanese and the former Russian governments, and the contracting parties equally recognize all rights, as they are, obtained by the citizens of both countries prior to the time of signing the treaty.

Art. 14. The government of the Far Eastern Republic takes upon itself to take down and, when needed, to blow up its fortresses and fortifications along the coast in the Vladivostick area and on the Korean frontier, and never to rebuild them in future, and also not to take any military measures in the areas adjacent to Korea and Manchuria.

The government of the Far Eastern Republic should recognize the right of officials staying and travelling on all its territory of Japanese special military missions and individual Japanese army officers.

The government of the Far Eastern Republic takes upon itself to never keep a navy in the Pacific Ocean and to destroy the existing one.

Art. 15. The government of the Far Eastern Republic, when settling the Nikolayev question, takes upon itself to lease the northern part of the Saghalin Island to the Japanese government for a term of 80 years as compensation for losses incurred to the Japanese subjects during the Nikolayev incident.

Art. 16. The present treaty comes into force on its ratification by the governments of the contracting parties and continues in force prior to conclusion of a permanent treaty in future.

Art. 17. The present treaty is drawn up in the Russian and Japanese languages, and both copies are authentic.

Secret Articles:

Art. 1. In case of an armed conflict between Japan and a third power, the government of the Far Eastern Republic will observe strict neutrality.

Art. 2. The Japanese government will evacuate its armed forces from the Primorye region at its own will and whenever it considers it necessary.

Art. 3. Evacuation from the Saghalin region will take place after actual receiving of the lease of the northern part of the Saghalin Island under conditions set forth in Article 15 of the Treaty.

[] From the book on the "Japanese Intervention of 1918-1922 in Documents", Central Record Office, 1934 (pp 126, 127, and 128).

CERTIFICATE OF TRANSLATION OF THE ABOVE DOCUMENT.

I, M. GILDEBLAT, hereby certify that I am thoroughly conversant with the Russian and English languages; and the above is a correct and true translation of the indicated document.

(Sgd) M. GILDEBLAT